

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EMMANUEL BRACY,
Plaintiff,

v.

DETECTIVE RICHARD GUZMAN;
DETECTIVE RANDY RICO;
DETECTIVE DONALD WALTHERS;
and DETECTIVE CARL WORRELL,

Defendants.

Case No. CV 13-9350 JC

JUDGMENT

This action came on regularly for trial on November 16, 2016, in Courtroom 21 of the United States District Court, Central District of California, Western Division-Los Angeles, the Honorable Jacqueline Chooljian, Magistrate Judge Presiding. Plaintiff EMMANUEL BRACY was not present, but was represented by attorneys Brian T. Dunn and Megan R. Gyongyos. Defendants RICHARD GUZMAN, RANDY RICO and CARL WORRELL were present and were represented by Assistant City Attorney Cory M. Brente and Deputy City Attorney Kelly N. Kades. Defendant DONALD WALTHERS was also present and was represented by attorneys Peter James Ferguson and Allen Christiansen.

1 The trial was not bifurcated, and the issue of liability and damages (except
 2 the claim for punitive damages against Defendants, which Plaintiff dismissed
 3 during the trial) went to the jury. A jury of 8 persons was regularly impaneled and
 4 sworn on November 16, 2016. Witnesses were sworn and testified and exhibits
 5 admitted. On December 1, 2016, following the presentation of evidence and
 6 argument during a jury trial which concluded on December 1, 2016, the jury in the
 7 above-entitled action, UNANIMOUSLY found as follows:

8
 9 We the jury, in the above-entitled action, unanimously find as follows:

10 QUESTION NO. 1:

11 Has Plaintiff Emmanuel Bracy proved by a preponderance of the evidence
 12 that any of the following Defendants violated his Federal Constitutional right
 13 under the Fourth Amendment by subjecting him to excessive force?

14 RICHARD GUZMAN Yes _____ No x

15 RANDY RICO Yes _____ No x

16 DONALD WALTHERS Yes _____ No x

17 CARL WORRELL Yes _____ No x

18 If your answer to Question No. 1 is “no” for all four Defendants, then please
 19 sign, date and return this verdict form. If your answer to Question No. 1 is “yes”
 20 for any of the Defendants, then please proceed to Question No. 2.

21 QUESTION NO. 2:

22 As to any Defendant for whom you answered “yes” to Question No. 1, has
 23 Plaintiff Emmanuel Bracy proved by a preponderance of the evidence that such
 24 Defendant(s)’ use of excessive force was a cause of injury to him?

25 RICHARD GUZMAN Yes _____ No _____

26 RANDY RICO Yes _____ No _____

27 DONALD WALTHERS Yes _____ No _____

28 CARL WORRELL Yes _____ No _____

1 If your answer to Question No. 2 is “no” for all Defendants for whom you
2 answered “yes” to Question No. 1, then please sign, date and return this verdict
3 form. If your answer to Question No. 2 is “yes” for any of the Defendants, then
4 please proceed to Question No. 3.

5 QUESTION NO. 3:

6 What is the total amount of damages, if any, proven by Plaintiff Emmanuel
7 Bracy?

8 \$ _____

9
10 Dated: December 1, 2016

_____/s/_____
11

12 Presiding Juror

13 Based on the special verdict, and Plaintiff's prior dismissal of punitive
14 damages during the trial, Defendants RICHARD GUZMAN, RANDY RICO,
15 DONALD WALTHERS and CARL WORRELL are entitled to judgment against
16 Plaintiff EMMANUEL BRACY.

17 Now, therefore, it is ORDERED, ADJUDGED AND DECREED that
18 Plaintiff EMMANUEL BRACY, have and recover nothing by reason of his claim
19 as set forth in his Complaint against Defendants RICHARD GUZMAN, RANDY
20 RICO, DONALD WALTHERS and CARL WORRELL and that Defendants shall
21 recover their costs in accordance with Local Rule 54.

22 JUDGMENT IS HEREBY ENTERED IN FAVOR OF ALL
23 DEFENDANTS ON PLAINTIFF'S CLAIM AS SET FORTH IN HIS
24 COMPLAINT.

25 IT IS SO ORDERED.

26 DATED: December 19, 2016

_____/s/_____
27

28 Honorable Jacqueline Chooljian
UNITED STATES MAGISTRATE JUDGE